

### **REMARKS**

This is in full and timely response to the non-final Official Action of December 11, 2007. Reexamination in light of the following remarks is respectfully requested. No new matter has been added. Claims 1-3 and 6-9 are currently pending in this application, with claims 1, and 2 being independent.

#### **I. Claim Rejections – 35 U.S.C. § 101**

Claims 4 and 5 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Claims 4 and 5 have been canceled by the foregoing amendment. Therefore, the rejection is now moot. Accordingly, withdrawal of the rejection is respectfully requested.

#### **II. Claim Rejections – 35 U.S.C. § 103**

Claims 1-5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hattori et al. (US 20030088576) in view of Numata et al. (US 20030041304).

##### **1. Claim 1**

Claim 1 is directed to file management device for managing, with an index file recorded in a recording medium, and a file recorded in the recording medium, wherein the index file includes a series of entries comprising, in block, information extracted from a file recorded in the recording medium, information about a file correlated to a folder set in the recording medium, and information about the folder, and indicates layer structures of the file and the folder by layer information pointing to other entries set in the entry; wherein an entry of the folder indicates the files belonging to the folder by registration information pointing to other entries, and indicates, by identifying information, whether or not the corresponding folder is a virtual folder; wherein the file management device retrieves an entry of the index file according to conditions for retrieval set by a user to select a file registered in the index file, and registers, as an entry for the virtual folder, a

retrieval result as to the selected file in the index file, along with the conditions for retrieval; and wherein, when the entry for the retrieval result is registered, information indicating that the entry of the retrieval result is for a result of retrieval is set in the index file, wherein the layer information is set so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected, and the registration information is set to point to entries of the selected file.

Hattori et al. arguably discloses an object-oriented data storage and retrieval system using index table. Numata et al. arguably discloses a structured document management system and structured document management method.

However, none of the applied art discloses, teaches or suggests that “the file management device retrieves an entry of the index file according to conditions for retrieval set by a user to select a file registered in the index file, and registers, as an entry for the virtual folder, a retrieval result as to the selected file in the index file, along with the conditions for retrieval; and wherein, when the entry for the retrieval result is registered, information indicating that the entry of the retrieval result is for a result of retrieval is set in the index file, wherein the layer information is set so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected, and the registration information is set to point to entries of the selected file.”

Therefore, withdrawal of the rejection and allowance of the claim is respectfully requested.

## **2. Claim 2**

Claim 2 is directed to file managing method of managing a file recorded in a recording medium with an index file recorded in the recording medium, wherein the index file includes a series of entries comprising, in block, information extracted from a file recorded in the recording medium, information about a file correlated to a folder set in the recording medium, and information

about the folder, and indicates layer structures of the file and the folder by layer information pointing to other entries set in the entry; and wherein an entry of the folder indicates the files belonging to the folder by registration information pointing to other entries, and indicates, by identifying information, whether or not the corresponding folder is a virtual folder; said method comprising: a step of retrieving entries of the index file according to retrieval conditions set by a user to select a file registered in the index file; a step of registering, as an entry for the virtual folder, a retrieval result about the selected file in the index file, along with the conditions for retrieval; a step of setting information indicating that the entry of the retrieval result is for a result of retrieval in the index file, and a step of setting the layer information so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected; and a step of setting the registration information to point to entries of the selected file.

Similarly to claim 1, the applied art fails to disclose, teach or suggest that “a step of retrieving entries of the index file according to retrieval conditions set by a user to select a file registered in the index file; a step of registering, as an entry for the virtual folder, a retrieval result about the selected file in the index file, along with the conditions for retrieval; a step of setting information indicating that the entry of the retrieval result is for a result of retrieval in the index file, and a step of setting the layer information so as to indicate that the virtual folder for the retrieval result is under a virtual retrieval result collection folder in which retrieval results are collected; and a step of setting the registration information to point to entries of the selected file.”

Therefore, withdrawal of the rejection and allowance of claim 2 is respectfully requested.

### **3. Claim 3**

Applicants respectfully submit that since claim 3 depends on claim 1, it is allowable for at least the reasons that claim 1 is allowable and it is further allowable by reason of the additional limitations set forth therein. Accordingly, withdrawal of the rejection and allowance of claim 3 is respectfully requested.

Applicants have also added claims 6-9 in order to claim various features of the invention. Since claim 6-9 depend on the base claim 1, they are allowable for at least same reasons that the base claim is allowable. Therefore, allowance of the claims is respectfully requested.

In view of the following arguments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action. However, Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-3119 from which the undersigned is authorized to draw.

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Respectfully submitted,

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